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10/534,336	05/10/2005	Jurgen Bieber	2002P17424WOUS	2925

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Intellectual Property Department
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EXAMINER	
AFOLABI, MARK O	

ART UNIT	PAPER NUMBER
4122	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/534,336	BIEBER, JURGEN	
	Examiner	Art Unit	
	MARK O. AFOLABI	4122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *9-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *9-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/26/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to application No. 10/534,336 filed on 09/26/2003, claims 9-27 have been examined.

Specification

1. The abstract of the disclosure is objected to due to an improper language; hence, applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "***means***" and "***said,***" should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 9, 10 and 12. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 9 and 27 objected to because of the following informalities: The use of slashes symbol between descriptive elements in the claims renders the scope and meaning of the claims unclear, as slashes could be construed to mean "and", "or" or both "and" and "or". For the purpose of examining, examiner will take only "or" into consideration. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9, 10 and 27 are rejected under 35 U. S. C. 102(b) as being anticipated by Truong (US 6,151,609).

Regarding claim 9, Truong teaches a device (server, Fig. 1—item 14) for engineering and/or configuring an automation system, comprising:

a memory for storing files needed and/or created for the engineering and/or configuring; and (a mass storage device….are stored ...loaded into server memory) (col. 7, lines 34-40)

an interface (Fig. 1—item 10) for providing access to program files and/or data files by a remote client [client](Fig. 1—item 12), wherein the interface comprises:

a first mechanism for transmitting a copy of a stored file to the remote client (receiving a message at the client indicating ...the copy of ...one of the files at the web browser for viewing) (Fig. 3C---item 158 and claim 6); and

a second mechanism for receiving files created and/or modified by the remote client (Web browser 32 of client 12 receives the file

selection form ... The user then selects the desired file for editing) (col. 8, lines. 38-41 and Fig. 3C—item 162)

Regarding claim 10, wherein the remote client is embodied as a browser-based client (For example, client 12, generally using a web browser application program) which communicates via an Internet or Intranet (...interconnection on the Internet ...an intranet) data line with the interface (col. 5, line 54 through col. 6, line 8).

Regarding claim 27, A device (server, Fig. 1—item 14) for developing, producing, and/or configuring an automation system, comprising:

a storage system (e.g. Fig. 2---item 44), in which are stored the files needed and/or created for the production and/or configuration; and

an interface (Fig. 1—item 10, with col. 6, lines 1-8) via which a remote client accesses program files and/or data files, wherein the interface features first means (e.g. Fig. 2---item 44) for transmitting to one or more remote clients a copy of the file or of each of the files stored in the storage system (receiving a message at the client indicating ...the copy of ...one of the files at the web browser for viewing) (Fig. 3C---item 158 and claim 6), and that the interface features second means (e.g. Fig. 2---item 44) for receiving files created and/or modified from the remote client or from each remote client (col. 9, lines 1-19).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 11-17 and 20-26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Truong (US 6,151,609) and Schwerdtfeger et al. (US 7,054,952) (Schwerdtfeger hereafter).

Regarding claim 11, first and second mechanisms of the interface are embodied as file format conversion mechanisms,

Truong teaches a device (Fig. 1—item 14) for configuring an automation system, comprising a memory for storing files needed for configuring (col. 7, lines 34-40); an interface (Fig. 1—item 10) for providing access to program files and/or data files by a remote client (Fig. 1—item 12).

Truong does not explicitly teach a device wherein the file format conversion mechanisms convert the files from a format which can be processed by the device into a file format which can be processed by the client and vice versa, and an access management device, which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients.

However, Schwerdtfeger discloses a method wherein the interface is embodied as file format conversion mechanisms [transcoder proxy—Fig. 4 and 5, item 28] (col. 7, lines 12-16).

It would have been obvious to one of ordinary skill in the art at the time invention was made, given the suggestions of Truong and Schwerdtfeger for producing a device and configuring an automation system comprises an interface for providing access to program files and data files by a remote client and the first and second mechanism of the interface are embodied as file format conversion mechanisms.

One would be motivated to utilize a transcoder because it translates the document from one file format to a script expressed into a second format. In addition, it supplies a description of the elements within some portion of a particular document and includes identifiers assigned to the elements within some portion of the document

Regarding claim 12, comprises substantially the same limitations as those address in claim 11. Therefore, the same rationale of rejection is applicable.

Regarding claim 13, Truong teaches file format conversion mechanisms convert the files from a format which can be processed by the device into a file format, which can be processed by the client and vice versa (col. 6, lines 55-67).

Regarding claim 14, Schwerdtfeger teaches the file format conversion mechanisms provide conversion means (transcoder proxy—Fig. 4 and 5, item 28) for graphics files and conversion means (transcoder proxy—Fig. 4 and 5, item 28) for text files (col. 7, lines 14-19).

Regarding claim 15, Schwerdtfeger teaches the file format conversion mechanisms provide conversion means (transcoder proxy—Fig. 4 and 5, item 28) for graphics files and conversion means (transcoder proxy—Fig. 4 and 5, item 28) for text files (col. 7, , lines 14-19).

Regarding claim 16, Schwerdtfeger teaches the file format conversion mechanisms provide conversion means (transcoder proxy—Fig. 4 and 5, item 28) for graphics files and conversion means (transcoder proxy—Fig. 4 and 5, item 28) for text files (col. 7, lines 14-19).

Regarding claim 17, Schwerdtfeger teaches the conversion means (transcoder proxy—Fig. 4 and 5, item 28) for graphics files convert graphics files stored in the memory into an SVG format that can be processed by the remote client and vice versa (col. 7, lines 11-25).

Regarding claim 20, Schwerdtfeger teaches an access management device [Model, the model… define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 21, Schwerdtfeger teaches an access management device [Model, the model… define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 22, Schwerdtfeger teaches an access management device [Model, the model… define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 23, Schwerdtfeger teaches an access management device [Model, the model… define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 24, Schwerdtfeger teaches an access management device [Model, the model… define methods for accessing and

manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 25, Schwerdtfeger teaches an access management device [Model, the model... define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

Regarding claim 26, Schwerdtfeger teaches an access management device [Model, the model... define methods for accessing and manipulating the document], which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients (col. 3, lines 53-57).

6. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Truong (US 6,151,609) in view of Schwerdtfeger et al. (US 7,054,952) (Schwerdtfeger hereafter) and in further view of Lee et al. (WO 2002-095954) (Lee hereafter).

Regarding claim 18, wherein the first and second mechanisms of the interface are embodied as file format conversion mechanisms,

Truong teaches a device (Fig. 1—item 14) for configuring an automation system, comprising a memory for storing files needed for configuring (col. 7, lines 34-40); an interface (Fig. 1—item 10) for providing access to program files and/or data files by a remote client [client] (Fig. 1—item 12).

Although, Truong does not explicitly teach a device wherein the first and second mechanisms of the interface are embodied as file format conversion mechanisms, the file format conversion mechanisms convert the files from a format which can be processed by the device into a file format which can be processed by the client and vice versa, and an access management device, which, if more than one remote client accesses a file stored in the memory, only allows access by one of these remote clients.

However, Schwerdtfeger discloses a method wherein the interface is embodied as file format conversion mechanisms [transcoder proxy—Fig. 4 and 5, item 28] (col. 7, lines 12-16).

Nevertheless, Schwerdtfeger does not explicitly teach the file format conversion mechanisms for text files convert into a DHTML format, which can be processed by the remote client

But, Lee teaches the file format conversion mechanisms (Fig. 1—item (1-4) for text files convert the text files stored in the memory into a DHTML format which can be processed by the remote client (abstract).

It would have been obvious to one of ordinary skill in the art at the time invention was made to apply the teachings of Lee's conversion mechanism wherein the text files are been converted into DHTML format for the remote clients to properly display depending upon the type of device.

Regarding claim 19, Lee teaches the conversion means (Fig. 1—item (1-4))for text files convert the text files stored in the memory into a DHTML format which can be processed by the remote client (abstract).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK O. AFOLABI whose telephone number is (571) 270-5627. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beatriz Prieto can be reached on 571-272-3902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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